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Attorney for Jose Roglio Florez

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOSE ROGLIO FLOREZ,
Defendant.

Case No. 2:15-cr-071-JAD-GWF

**UNOPPOSED MOTION TO
WAIVE APPEARANCE AT
ARRAIGNMENT AND PLEA
HEARING ON THIRD
SUPERSEDING INDICTMENT**

COMES NOW THE DEFENDANT, Jose Roglio Florez, by and through Rene L. Valladares, Federal Public Defender and his counsel of record, Paul D. Riddle, Assistant Federal Public Defender, and hereby respectfully moves this Court for an order to waive his appearance on the Third Superseding Indictment (ECF 135) filed on October 5, 2016.

Although Federal Rules of Criminal Procedure 43(a) mandate a defendant appear for the initial arraignment and plea on indictment, defendant Jose Roglio Florez made his initial appearance for arraignment and plea in this case on March 18, 2015 (ECF 15).

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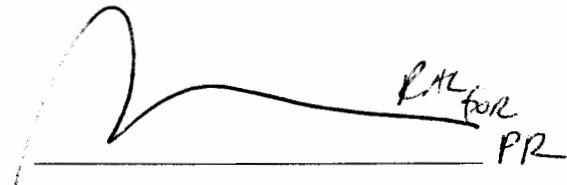
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1 After conferring, government counsel has indicated to undersigned defense counsel that
2 he is not opposed to the waiver of Mr. Florez's appearance. The third superseding indictment
3 filed has changed count three from Armed Bank Robbery to Interference with Commerce by
4 Robbery, however, the factual allegations remain the same.

5 The defendant, Jose Roglio Florez, hereby requests this Court to proceed during
6 defendant's absence pursuant to this waiver, and hereby agrees that defendant's interests are
7 deemed represented at all times by the presence of defense counsel:

8 (1) The defendant affirms he has received and read a copy of the
9 indictment and understands the nature of the charge(s);
10 (2) The defendant understands and acknowledges that he has the
11 right to remain silent, the right to trial by jury, the right to
12 compulsory process, and the right to the assistance of counsel;
13 (3) Counsel affirms that he has no reason to question the
14 defendant's competence to assist in the defense of the case;
15 (4) Defendant has a right to be present at the arraignment and
16 waives that right;
17 (5) Defendant's plea to the charge(s) is not guilty

18 DATED: 10/16/16



RDL for PR

PAUL D. RIDDLE
Assistant Federal Public Defender

19 DATED: 10-17-16



JRF

JOSE ROGLIO FLOREZ

1 Accordingly, Mr. Florez respectfully requests the Court waive his appearance Thursday,
2 October 13, 2016 at 3:00 p.m.

3
4 Respectfully submitted,

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6 DATED this 19th th of October, 2016. RENE L. VALLADARES
7 Federal Public Defender

8 By: /s/ Paul D. Riddle

9 PAUL D. RIDDLE
10 Assistant Federal Public Defender
11 Attorney for Jose Roglio Florez

12 IT IS SO ORDERED:

13 this 20th day of October,
14 2016.

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16 
17 UNITED STATES MAGISTRATE JUDGE

1 CERTIFICATE OF ELECTRONIC SERVICE

2 The undersigned hereby certifies that she is an employee of the Federal Public Defender
3 for the District of Nevada and is a person of such age and discretion as to be competent to serve
4 papers.

5 That on October 19, 2016, she served an electronic copy of the above and foregoing
6 **UNOPPOSED MOTION TO WAIVE APPEARANCE AT ARRAIGNMENT AND PLEA**
7 **HEARING ON THIRD SUPERSEDING INDICTMENT** by electronic service (ECF) to the
8 person named below:

9
10 DANIEL G. BOGDEN
11 United States Attorney
12 ALEXANDRA M. MICHAEL
13 ANDREW DUNCAN
14 ROBER KNIEF
15 Assistant United States Attorney
16 333 Las Vegas Blvd. So. 5th Floor
17 Las Vegas, NV 89101

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19 _____
20 */s/Nancy Vasquez, Legal Assistant*
21 Employee of the Federal Public Defender
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